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 Newton, New Jersey 07860
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 Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT FOR THE
 SOUTHERN DISTRICT OF NEW YORK**

ASCENT MEDICAL TECHNOLOGY FUND II,
 LP,

Plaintiff,

v.

TELEFLEX MEDICAL INCORPORATED,

Defendant.

)
) Case No. 07-CIV-6353 (SAS)
)
)
)
) **PLAINTIFF'S INITIAL**
) **DISCLOSURES PURSUANT TO**
) **FED. R. CIV. P. 26(a)(1)**
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Plaintiff Ascent Medical Technology Fund II, LP (“Ascent”), by and through its attorneys, hereby submits its Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Ascent reserves the right to supplement and change these disclosures as discovery proceeds. The inclusion of documents in this disclosure statement shall not be construed to waive: (i) the attorney-client privilege and/or the work-product doctrine, either generally or as they may attach to particular documents, or (ii) the admissibility of these documents in this case.

1. **Rule 26(a)(1)(A) Disclosures**

Albert Emola
President & CEO (Acting)
Ascent Medical Corporation
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105
651-379-5146

Subject: Course of negotiations/contracting and Plaintiff's damages.

Karl E. Groth, Ph.D.
Ascent Group
1160 Fifth Avenue
Suite 205
New York, New York 10029
212-828-3906

Subject: Course of negotiations/contracting and Plaintiff's damages.

Peggy A. Farley
Ascent Group
1160 Fifth Avenue
Suite 205
New York, New York 10029
212-828-3906

Subject: Course of negotiations/contracting and Plaintiff's damages.

Ciaran Hood
General Manager
Salalah Medical Device Manufacturing Company
c/o Ascent Medical
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105
651-379-5146

Subject: Course of negotiations/contracting and Defendant's conduct and decision-making.

John J. Sickler, Jr.
Teleflex Medical Incorporated
4024 Stirrup Creek
Research Triangle Park, North Carolina 27703
919-544-8000

Subject: Course of negotiations/contracting and Defendant's conduct and decision-making.

John J. Sickler, Sr.
Vice-Chairman and Director
Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468
610-948-5100

Subject: Course of negotiations/contracting and Defendant's conduct and decision-making.

R. Ernest Waaser
President
Teleflex Medical Incorporated
4024 Stirrup Creek
Research Triangle Park, North Carolina 27703
919-544-8000

Subject: Course of negotiations/contracting and Defendant's conduct and decision-making.

Jeffrey P. Black
Chairman, CEO and Director
Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468
610-948-5100

Subject: Defendant's conduct and decision-making.

Lisa Thompson, Esq.
Assistant General Counsel
Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468
610-948-5100

Subject: Course of negotiations/contracting and Defendant's conduct and decision-making.

Tim Norman
Independent Sales Representative
3235 Crestmoor Drive
Woodbury, Minnesota 55125
612-599-6022

Subject: Defendant's offer to divest guide wire business.

Gene Champeau
Karl Fox
Neometrics Inc.
14800 28th Avenue
N. Plymouth, MN 55447
763-559-4440

Subject: Industry and market conditions.

David Brooke
Medical Device Consultant
35210 Evergreen Avenue
North Branch, Minnesota 55056
651-237-0886

Subject: Course of negotiations and due diligence.

Mark Fleischhacker
Lake Region Manufacturing, Inc.
340 Lake Hazeltine Drive
Chaska, Minnesota 55318
952-361-2515

Subject: Course of negotiations/contracting and Defendant's solicitation of competing bids for the guide wire business.

Boston Scientific
One Boston Scientific Place
Nantick, MA 01760-1537

Subject: Defendant's solicitation of competing bids for the guide wire business.

2. Rule 26(a)(1)(B) Disclosures

a. Documents and electronically stored information regarding the submission of bids for Defendant's guide wire business and the course of negotiations and contracting between the parties.

Location(s):

Ascent Group
1160 Fifth Avenue
Suite 205
New York, New York 10029

Ascent Medical Corporation
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105

Salalah Medical Device Manufacturing Company
c/o Ascent Medical
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105

Teleflex Medical Incorporated
4024 Stirrup Creek
Research Triangle Park, North Carolina 27703

Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468

Teleflex Medical Tecate
Tecate, B.C.
Mexico

Lake Region Manufacturing, Inc.
340 Lake Hazeltine Drive
Chaska, Minnesota 55318

Boston Scientific
One Boston Scientific Place
Nantick, MA 01760-1537

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Servers hosting the e-mail and other network supported documents of persons identified in Section 1. above.

Laptop computers of all persons identified in Section 1. above.

b. Documents and electronically stored information regarding Plaintiff's damages.

Ascent Group
1160 Fifth Avenue
Suite 205
New York, New York 10029

Ascent Medical Corporation
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105

Salalah Medical Device Manufacturing Company
c/o Ascent Medical
1000 Westgate Drive
Suite 161
St. Paul, Minnesota 55105

c. Correspondence between counsel for Plaintiff and Teleflex Incorporated.

Morris, Downing & Sherred, LLP
One Main Street P.O. Box 67
Newton, New Jersey 07860

Office of General Counsel
Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468

d. Documents and electronically stored information concerning Defendant's solicitation and consummation of a competing transaction(s) for the guide wire business.

Teleflex Medical Incorporated
4024 Stirrup Creek
Research Triangle Park, North Carolina 27703

Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468

Lake Region Manufacturing, Inc.
340 Lake Hazeltine Drive
Chaska, Minnesota 55318

Boston Scientific
One Boston Scientific Place
Nantick, MA 01760-1537

e. Internal memoranda, e-mails and other documents and electronically stored information concerning Defendant's divestiture of its guidewire business, to the extent not included in a.-d. above.

Teleflex Medical Incorporated
4024 Stirrup Creek
Research Triangle Park, North Carolina 27703

Teleflex Incorporated
155 So. Limerick Road
Limerick, Pennsylvania 19468

Teleflex Medical Tecate
Tecate, B.C.
Mexico

3. **Rule 26(a)(1)(C) Disclosures**

Ascent's damages caused by Defendant's conduct include:

- a. in excess of \$100,000 in due diligence, travel, location visit, and related costs;
- b. in excess of \$2,500,000 for replacement of the guide wire assets;
- c. in excess of \$1,400,000 for replacement of inventory;
- d. in excess of \$1,500,000 in lost accounts;
- e. profits lost by reason of Defendant's actions, in an amount yet to be determined but believed to exceed \$3,225,000.

In addition, Ascent will seek to recover any applicable attorneys' fees and costs and punitive damages to the extent permitted by law.

4. **Rule 26(a)(1)(D) Disclosures**

Ascent is not currently aware of an insurance policy that would be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

Dated: September 4, 2007

MORRIS, DOWNING & SHERRED, LLP

By: _____

David L. Johnson (DJ-7079)

Douglas C. Gray (DG-3907)

One Main Street P.O. Box 67

Newton, New Jersey 07860

Ph. 973-383-2700

Fax 973-393-3510

Attorneys for Plaintiff Ascent Medical
Technology Fund II, LP